

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

TCI-P003

First named inventor: Aaron Schipper

Application No.: 10/762,095

Art Unit: 1797

Filed: January 21, 2004

Examiner: Benjamin M. Kurtz

Title: APPARATUS FOR REMOVING AIR and/or Debris From a Flow of Liquid

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ 810.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity – fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Notice of Appeal and Petition for Extension of Time (identify type of reply):

has been filed previously on _____
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____
 has been paid previously on _____
 is enclosed herewith.

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This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form; and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

/Norman J. Hedges/

Signature

December 22, 2008

Date

Norman J. Hedges

Typed or printed name

44,151

Registration Number, if applicable

Baker & Daniels LLP, 300 North Meridian Street, Ste. 2700

Address

317.237.0300

Telephone Number

Indianapolis, Indiana 46204

Address

Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: Notice of Appeal and Petition for Extension of Time**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate

BAKER & DANIELS LLP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/762,095	Confirmation No. 4559
Applicant	:	Aaron Schipper	
Filed	:	01/21/2004	
TC/A.U.	:	1723	
Title	:	Apparatus for Removing Air and/or Debris from a Flow of Liquid	
Examiner	:	Benjamin M. Kurtz	
Docket No.	:	TCI-P003	
Customer No.	:	27268	

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**STATEMENT OF FACTS IN SUPPORT OF THE PETITION TO REVIVE AN
UNINTENTIONALLY ABANDONED APPLICATION**

Sir:

On November 3, 2008, Applicant uploaded documents for electronically filing a Notice of Appeal and a Petition for Extension of Time of the above referenced patent application. As evidenced by the attached Saved Applications for Later Submission, dated November 3, 2008, Applicant uploaded the attached: (1) Notice of Appeal From The Examiner To The Board of Patent Appeals, and (2) Petition for Extension of Time Under 37 CFR 1.136(a) FY 2009. In error, the Saved Application for Later Submission was never submitted and was deleted on November 11, 2008. On December 22, 2008, Applicant discovered the error. Applicant intended to file a Notice of Appeal with the appropriate extension of time. Applicant re-submits a Notice of Appeal From The Examiner To The Board of Patent Appeals, (2) Petition for Extension of Time Under 37 CFR 1.136(a) FY 2009. Applicant's failure to submit the attached was unintentional.

Applicant requests that any required fees needed beyond those submitted with the accompanying petition be charged to the account of Baker & Daniels, Deposit Account No. 02-0390.

Respectfully submitted,

/Norman J. Hedges/
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Date Submitted: December 22, 2008